

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION
FOR THE
UNDERGARMENT AND
NEGLIGEE INDUSTRY

AS APPROVED ON NOVEMBER 7, 1934



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1934

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Approved Code No. 408—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

UNDERGARMENT AND NEGLIGEE INDUSTRY

As Approved on November 7, 1934

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ORDER

**APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
UNDERGARMENT AND NEGLIGEE INDUSTRY**

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Undergarment and Negligee Industry, and an Opportunity to be Heard having been duly afforded members of the Industry and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President.

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, and otherwise, does hereby incorporate, by reference, said annexed report and does find that said amendment and the Code as constituted after being amended, comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

PRENTISS L. COONLEY,

Acting Division Administrator.

WASHINGTON, D. C..

November 7, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Code Authority for the Undergarment and Negligeé Industry submitted a proposed amendment to the Code of Fair Competition for the Undergarment and Negligeé Industry. This amendment was presented to the Legal Division of the National Recovery Administration and received its approval.

As this amendment was in accordance with standard form and consistent with the policies of the Administration, a Public Hearing was considered unnecessary, and in lieu of the Public Hearing, Notices of Opportunity to be Heard were printed and distributed in the same manner as the Notice of Public Hearing. A specified date was set forth in such notices, by which time objections and criticisms were to be received relative to this amendment. Up to and including the dates specified in such notices, no objections or criticisms were received.

The gist of this amendment is that it makes it compulsory for all members of the Industry to pay its equitable contribution to the expense of the maintenance of the Code Authority.

The Deputy Administrator in his final report to the National Industrial Recovery Board on said amendment to said Code having found as herein set forth and on the basis of all proceedings in this matter:

The National Industrial Recovery Board finds that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the purpose of cooperative action of labor and management under adequate governmental sanctions and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increased purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating Industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10, thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons this amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

NOVEMBER 7, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE UNDERGARMENT AND NEGLIGEE INDUSTRY

The Code of Fair Competition for the Undergarment and Negligee Industry, as approved on April 27, 1934, is hereby amended by striking out sub-paragraph (2) of paragraph (f) of Section 8 of Article VI, and adding the following paragraphs in lieu thereof and additionally:

2. Each member of the industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and pertaining to rules and regulations pertaining thereto issued by the Administrator. Only members of the Industry complying with the Code and contributing to the expenses of its administration as hereinabove provided, (unless duly exempted from making such contributions), shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

3. The Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the total amount contained in the approved budget except upon approval of the National Industrial Recovery Board; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the National Industrial Recovery Board shall have so approved.

4. Nothing in the provisions of this Article shall be deemed to require contribution by contractors where contributions are apportioned among members of the industry upon a volume of sales basis.

Approved Code No. 408—Amendment No. 1.
Registry No. 277-1-01.

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